

237641

FAA-03-14728-1

DEPT. OF TRANSPORTATION  
DOCKETS

## LONAIRE

2003 MAR 19 A 10:43

LONNIE LESLIE, PRES.  
2121 WILSON ST.  
MILES CITY, MT 59301-4934  
lonaire@midrivers.com

Airport Office 406-232-1354  
Home Office 406-232-3450  
Fax 406-232-3450  
Cellular 406-951-3450

February 19, 2003

Federal Aviation Administration  
Office of the Chief Counsel  
ATTN: Rules Docket (AGC-10)  
800 Independence Ave. S.W.  
Washington, D.C. 20591

RE: Petition for exemption to 14 CFR 135.143(c)

Dear Sir:

In accordance with 14 CFR 11.61(b), LonAire Flying Service, Inc., hereby petitions the Federal Aviation Administration for an exemption to 14 CFR 135.143(c). FAR Part 135.143(c) requires that after January 1, 1992 any transponder not meeting the requirements of TSO-C112 (Mode S) may not be newly installed in any aircraft operating under the provisions of FAR Part 135.

Difficulties existed in the manufacturing cutoff dates of July 1, 1992 and January 1, 1991, respectively, (Amendment No 91-210; 54 FR 25681, June 16, 1989). On January 4, 1991; the FAA removed the manufacturing cutoff date associated with the Mode S transponder requirement in response to inventory shortfalls reported by transponder manufacturers (Amendment No 91-221; 56 FR 467). The installation cutoff date for operations conducted under FAR Part 135 was not removed. However, on May 29, 1992 the FAA did rescind the Mode S installation requirements for operations conducted under FAR Part 91.

This petition is in the best interest of the public from both a safety and an economic perspective.

An integral part of the Mode S rule is the ground sensor. These sensors, when combined with Mode S transponders, better enable Air Traffic Control to track aircraft position, thereby reducing the likelihood of a mid-air collision. However, without ground sensors,

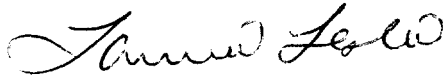
Mode S transponders provide no more benefits than advanced solid state Mode A/C transponders. Thus, there would not be an unacceptable reduction in aviation safety as a result of this proposed exemption.

The proposed exemption would generate benefits in the form of cost relief not only to us as a Part 135 Operator, who would otherwise be required to install Mode S transponders, but also for our customers, the flying public. The average price of a Mode S transponder is \$5,200 compared to \$2,000 for a Mode A/C transponder. This additional expense would, of course, be passed on to the flying public.

LonAire further requests that this petition not be held up by publishment in the federal register. The delaying of this petition for publishment in the federal register would place significant economic hardship on us as a Part 135 Operator.

In view of the fact that safety would not be impacted, but economically, aircraft operators will, LonAire encourages you to expeditiously grant this petition for exemption. If you have any further comments or questions concerning this petition, you may contact me through the information provided above.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Lonnie Leslie".

Lonnie Leslie  
President